

Resolution No.: 07-01-13

Introduced: 07-08-13

Adopted: \_\_\_\_\_

Effective: \_\_\_\_\_

**BOARD OF MANAGERS**  
**FOR**  
**CHEVY CHASE VILLAGE, MD**

**SUBJECT:** AN ORDINANCE AMENDING CHAPTER 24, "PROCUREMENT AND DISPOSITION", ARTICLE II, "SOURCE SELECTION AND CONTRACT INFORMATION", DIVISION 3, "PROCUREMENT EXEMPT FROM COMPETITIVE BIDDING AND PROPOSAL", BY ENACTING SECTION 24-13, "EMPLOYEE BENEFITS", TO EXEMPT PROCUREMENT OF EMPLOYEE BENEFITS FROM COMPETITIVE BIDDING AND APPROVAL REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES

WHEREAS, Article 23A of the Maryland Code authorizes the Board of Managers to adopt such ordinances as it deems necessary to assure the good government of Chevy Chase Village; to protect and preserve the rights, property and privileges of the Village; to preserve peace and good order; to secure persons and property from danger and destruction; and to protect the health, comfort and convenience of Village residents; and

WHEREAS, Section 77-14(a) of the Chevy Chase Village Charter authorizes the Board of Managers to adopt such ordinances as it deems necessary with respect to sanitation, care of property, and other police and health regulations; and

CAPS  
[Brackets]  
Asterisks \* \* \*

: Indicate matter added to existing law.  
: Indicate matter deleted from law.  
: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

WHEREAS, after proper notice to the public, the Board of Managers conducted a public hearing at which it considered the following ordinance in public session assembled on the \_\_\_\_\_ day of \_\_\_\_\_, 2013; and

WHEREAS, Chapter 24, "Procurement and Disposition", Article II, "Source Selection and Contract Information", Section 24-13, "Competitive Sealed Bidding", requires that all procurement that is expected to exceed Fifteen Thousand Dollars (\$15,000.00) be competitively bid, with certain exceptions; and

WHEREAS, the standard practice in procuring employee health (which also includes vision and prescription), dental, disability, life insurance and workers' compensation benefits is to consult with an insurance broker, which then provides quotes after comparing the various policies and coverage available; and

WHEREAS, the Board of Managers has determined that use of a broker in procuring employee benefits is in the public interest as the best method for obtaining the lowest prices for the desired coverage; and

WHEREAS, the Board of Managers has determined that it is in the public interest to exempt procurement of employee benefits from the competitive bidding process and Board of Managers approval; and

WHEREAS, the Board of Managers finds that the ordinance as hereinafter set forth is necessary to assure the good government of the Village; for the protection and preservation of the Village's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, comfort, and convenience of the residents of the Village.

NOW THEREFORE, the Board of Managers of Chevy Chase Village does hereby adopt the following ordinance:

AN ORDINANCE TO AMEND CHAPTER 24, "PROCUREMENT AND DISPOSITION", ARTICLE II, "SOURCE SELECTION AND CONTRACT INFORMATION", DIVISION 3, "PROCUREMENT EXEMPT FROM COMPETITIVE BIDDING AND PROPOSAL" TO ENACT SECTION 24-22, "EMPLOYEE BENEFITS", TO EXEMPT PROCUREMENT OF EMPLOYEE BENEFITS FROM COMPETITIVE BIDDING AND APPROVAL REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES

SECTION 1.

BE IT ORDAINED AND ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2013, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by Article 23A of the Maryland Code and Section 77-14 of the Village Charter to amend Chapter 24, "Procurement And Disposition", Article II, "Source Selection And Contract Information", Division 3, "Procurement Exempt From Competitive Bidding and Proposal", by enacting Section 24-22, "Employee Benefits" to read as follows:

SECTION 24-22 EMPLOYEE BENEFITS

NOTWITHSTANDING ANY OTHER PROVISION OF THIS CHAPTER, A CONTRACT FOR EMPLOYEE BENEFITS, INCLUDING BUT NOT LIMITED TO HEALTH, DENTAL, DISABILITY, LIFE INSURANCE AND WORKERS' COMPENSATION, MAY BE AWARDED BY THE VILLAGE MANAGER THROUGH A QUALIFIED INSURANCE BROKER PROCESS WITHOUT A COMPETITIVE BID. THE BOARD OF MANAGERS SHALL BE NOTIFIED OF ANY AWARD OF CONTRACT MADE BY THE VILLAGE MANAGER UNDER THIS SECTION.

SECTION 2

AND BE IT FURTHER ORDAINED AND ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2013, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by Article 23A of the Maryland Code and Section 77-14 of the Village Charter that:

- (1) If any part of provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part of provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and
- (2) This ordinance shall take effect on the \_\_\_\_\_ day of \_\_\_\_\_, provided the same is posted at the Village Office for fourteen (14) days prior thereto.

CHEVY CHASE VILLAGE

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Patricia Baptiste, Chairman  
Board of Managers  
Chevy Chase Village

ATTEST:

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Richard Ruda, Secretary